

FILED
for Roanoke
OCT 29 2010
JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ALLEN NEIL PANFILE, SR.,)	Civil Action No. 7:10-cv-00425
Petitioner,)	
)	
v.)	<u>ORDER</u>
)	
DEPUTY DIRECTOR GENE M.)	
JOHNSON,)	By: Hon. Jackson L. Kiser
Respondent.)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that petitioner's 28 U.S.C. § 2254 petition for a writ of habeas corpus is **DISMISSED without prejudice**, pursuant to Rule 4 of the Rules Governing § 2254 Cases; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to petitioner.

ENTER: This 29th day of October, 2010.

[Signature]
Senior United States District Judge